

REMARKS

Claims 1, 11, and 21, are amended herein to recite that a first information storage and retrieval system is in communication with a second information storage and retrieval system via a fifth plurality of communication links. Support can be found in the Specification on Page 12 at Lines 14-20, and in FIG. 2A at elements 250 (first information storage and retrieval system), 260 (second information storage and retrieval system), and 280 (fifth plurality of communication links).

Claims 1, 11, and 21, are further amended herein to recite forming (N) host computer groups, wherein (N) is greater than or equal to 1, wherein at least one host computer group comprises two or more host computers. Support can be found in the Specification on Page 20 at Lines 17-18.

Claims 1, 11, and 21, are further amended herein to recite receiving a request from a host computer assigned to the (i)th host computer group to establish a copy service relationship between a source logical volume and a target logical volume, wherein said source logical volume is disposed in said first information storage and retrieval system and said target logical volume is disposed in said second information storage and retrieval system. Support can be found in the Specification on Page 22 at Lines 3-6.

No new matter has been entered. Reexamination and reconsideration of the application, as amended, is respectfully requested.

FIG. 3A stands objected to for FIG. 3A is amended herein to cure this rejection.

The Specification stand objected to due to new matter into the disclosure. Claims 1, 11, and 21, are amended herein to cure this objection.

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Claims 1, 11, and 21 are rejected under 35 U.S.C. 112, first paragraph, for failing to comply with the written description requirement. Claims 1, 11, and 21 are amended herein to cure these rejections.

Claims 1, 11, and 21 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Claims 1, 11 and 21 are amended herein to cure these rejections.

Claims 1-4, 11-14, and 21-24, stand rejected under 35 U.S.C. 103(a) as being unpatentable over NPL entitled "HP-UX 10.0 Logical Volume Manager White Paper" (Hewlett-Packard), in view of Padmanabhan et al. (U.S. Pub. No. 2003/0188188), and further in view of Merkey et al. (U.S. Pub. No. 2003/0041211).

Claims 5-7, 15-17, and 25-27, stand rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Hewlett-Packard and Padmanabhan et al., and further in view of Atkin (U.S. Pat. No. 6,145, 066).

Claims 8, 18, and 28, stand rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Hewlett-Packard and Padmanabhan et al., Merkey, et al., and further in view of Tremain (U.S. Pub. No. 2002/0069369).

Claims 9-10, 19-20, and 29-30, stand rejected under 35 U.S.C. 103(a) over the combination of Hewlett-Packard and Padmanabhan et al., Merkey et al., and further in view of Mokryn et al. (U.S. Pat. No. 6,735,636).

Neither Hewlett-Packard, nor Padmanabhan et al., nor Merkey et al., singly or in combination, teach forming (N) host computer groups, wherein (N) is greater than or equal to 1, wherein at least one host computer group comprises two or more host computers, as recited by claims 1, 11, and 21, as amended herein. In addition, neither Hewlett-Packard, nor

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Padmanabhan et al., nor Merkey et al., singly or in combination, teach receiving a request from a host computer assigned to an (i)th host computer group to establish a copy service relationship between a source logical volume and a target logical volume, wherein the source logical volume is disposed in a first information storage and retrieval system and the target logical volume is disposed in a second information storage and retrieval system, as recited by claims 1, 11, and 21, as amended herein.

Claims 2-4, as amended herein, depend, directly or indirectly, from claim 1, as amended herein. Under 35 U.S.C. § 112, fourth paragraph, “a claim in dependent form shall be construed to incorporate by reference all the limitations of the claim to which it refers.” “If an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious.” MPEP 2143.03; *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed.Cir. 1988). Applicants respectfully submit that claims 2-4, as amended herein, are patentable over the teachings of Hewlett-Packard and/or Padmanabhan et al. and/or Merkey et al.

Claims 12-14, as amended herein, depend, directly or indirectly, from claim 11, as amended herein. Under 35 U.S.C. § 112, fourth paragraph, “a claim in dependent form shall be construed to incorporate by reference all the limitations of the claim to which it refers.” “If an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious.” MPEP 2143.03; *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed.Cir. 1988). Applicants respectfully submit that claims 12-14, as amended herein, are patentable over the teachings of Hewlett-Packard and/or Padmanabhan et al. and/or Merkey et al.

Claims 22-24, as amended herein, depend, directly or indirectly, from claim 21, as amended herein. Under 35 U.S.C. § 112, fourth paragraph, “a claim in dependent form shall be

construed to incorporate by reference all the limitations of the claim to which it refers.” “If an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious.” MPEP 2143.03; *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed.Cir. 1988). Applicants respectfully submit that claims 22-24, as amended herein, are patentable over the teachings of Hewlett-Packard and/or Padmanabhan et al. and/or Merkey et al.

Atkin, Tremain, or Mokryn et al., fail to cure the deficiencies of Hewlett-Packard, Padmanabhan et al., and Merkey et al. Neither Hewlett-Packard, nor Padmanabhan et al., nor Merkey et al, nor Atkin, nor Tremain, nor Mokryn et al, singly or in combination, teach forming (N) host computer groups, wherein (N) is greater than or equal to 1, wherein at least one host computer group comprises two or more host computers, as recited by claims 5-10, 15-20, and 25-30, as amended herein. In addition, neither Hewlett-Packard, nor Padmanabhan et al., nor Merkey et al., nor Atkin, nor Tremain, nor Mokryn et al., singly or in combination, teach receiving a request from a host computer assigned to an (i)th host computer group to establish a copy service relationship between a source logical volume and a target logical volume, wherein the source logical volume is disposed in a first information storage and retrieval system and the target logical volume is disposed in a second information storage and retrieval system, as recited by claims 5-10, 15-20, and 25-30, as amended herein.

Applicants respectfully submit that claims 5-10, 15-20, and 25-30, as amended herein, are patentable over any combination of Hewlett-Packard, Padmanabhan et al., Merkey et al., Atkin, Tremain, and/or Mokryn et al.

Having dealt with all of the outstanding objections and/or rejections of the claims, Applicants submit that the application as amended is in condition for allowance, and an

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allowance at an early date is respectfully solicited. In the event there are any fee deficiencies or additional fees are payable, please charge them, or credit an overpayment, to our Deposit Account No. 170055.

Respectfully submitted,

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July 30, 2009

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